

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Schlegel et al.
Appl. No.: 10/071,138
Conf. No.: 3115
Filed: February 8, 2002
Title: GAMING DEVICE HAVING A RELATED SYMBOL SELECTION GAME
Art Unit: 3714
Examiner: Sunit Pandya
Docket No.: 112300-0742

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT
UNDER 37 C.F.R. § 1.705(b)**

Sir:

This Request for Reconsideration is being filed in response to the Determination of Patent Term Adjustment which was mailed with the Notice of Allowance on December 10, 2007. Applicants have reviewed the PTA set forth (479 days) by the Patent Office and respectfully request that this determination be reconsidered for the reasons set forth below.

The Patent Office determined that a 308 day adjustment should be made based on the USPTO delay in mailing an Office Action or Notice of Allowance within fourteen months of the filing of the application. The first Office Action was mailed on February 10, 2004 which is 308 days past the 14 month date. Therefore, 308 days were added to the patent term. Applicants agree with this determination.

The Patent Office determined that a 84 day adjustment should be made based on the Applicants' delay in responding to the Office Action mailed February 10, 2004. Applicants responded to the Office Action on August 2, 2004 which is 84 days past the May 10, 2004 due date. Therefore, 84 days were subtracted from the patent term. Applicants agree with this determination.

Adjustment Date: 07/21/2008 CKHLOK
01/09/2008 INTEFSW 00002642 021818 10071138
01 FC:1455 200.00 CR

According to the above PTA rules, Applicants had three months from the mailing of the Final Rejection in which to respond without a loss of PTA. Accordingly, Applicants did not meet the three month deadline of June 1, 2005. Therefore, request is being made that 35 days be subtracted to the patent term adjustment and that the total adjustment for such PTO and Applicant delays, should be 444 instead of 479 days.

This Request includes the amount of \$200.00 to cover the fee set forth in § 1.18(e) to be charged to our Deposit Account, 02-1818. To the extent that any additional fees are due and owing, the Commissioner is hereby authorized to charge them to our Deposit Account, 02-1818.

Respectfully submitted,

BELL, BOYD & LLOYD LLP

BY 

Adam H. Masia

Reg. No: 35, 602

Customer No: 29159

Date: January 8, 2008

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND					
1 Date of Request: 07/08/08		2 Serial/Patent # 10/071138			
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT	
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